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UNITED STATES PATENT AND TRADEMARK OFFICE

September 27, 2002

In re application of : ROBERT E. HARMS
Serial No. : 10/064,166
Filed : 06/17/2002
For : DUMBBELL HAVING INTERLOCKING
COMPONENTS
Examiner : TO BE ASSIGNED
Art Unit : TO BE ASSIGNED
Our File No. : 9530.4875

**AMENDMENT, PETITION AND FEE TO ADD
AN ORIGINAL ERRONEOUSLY OMITTED CO-INVENTOR
IN NONPROVISIONAL APPLICATION DECLARATION**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This amendment and petition is to correct the naming of inventors in the declaration under 37 C.F.R. § 1.48(a), by the addition of a co-inventor, as set forth and filed on June 17, 2002.

Please add the following omitted co-inventor:

EUGENIO SEGOVIA, JR.

Attached are:

1. The Statement of Mr. Eugenio Segovia, Jr., the person being added as a co-inventor, attesting that the error in inventorship occurred without deceptive intention on his part pursuant to 37 C.F.R. § 1.48(a)(1); and

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2. a Declaration be each of the actual inventors as required by 37 C.F.R. § 1.63.

The inadvertent omission of Mr. Eugenio Segovia, Jr. as a named co-inventor resulted from the fact that it was initially believed that Mr. Segovia performed only ministerial functions, under the supervision, direction and control of Mr. Harms. It was not believed that Mr. Segovia contributed in a significant way to the conception or reduction to practice of the invention. Although the matter was inquired into, at the time of filing of the original application, there was an insufficient understanding of those involved as what constituted a co-inventor, and a contribution to the inventive subject matter and claimed invention.

Subsequently, at the time an Assignment of the invention and patent application was prepared for execution by the inventor, and assigning complete rights to the corporation, questions were raised as to Mr. Segovia's involvement. Upon further and detailed review, that he in fact contributed significantly to the engineering design of the dumbbell's interlocking components, as well as the production and testing of prototypes. Although Mr. Harms was in fact in charge of the project, Mr. Segovia's involvement was very significant, and was beyond merely technical assistance carried out at the specific instructions of Mr. Harms.

A separate Statement of Mr. Segovia is submitted herewith in compliance with 37 C.F.R. Section 1.48 (a)(1), as is a newly executed Declaration of all co-inventors, filed in conjunction with an Assignment.

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A check for the fee for this petition in the amount of \$130.00 is attached hereto.
For any additional fees, please bill our Deposit Account No. 13-1130.

Respectfully submitted,



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